



## Department of Energy

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### Purpose

This letter documents the intent of the State of Idaho, the U. S. Environmental Protection Agency (EPA), and the U. S. Department of Energy (DOE) to pursue accelerated risk reduction and cleanup in the Environmental Management (EM) Program at the Idaho National Engineering and Environmental Laboratory (INEEL). The parties have established a focused vision for the accelerated cleanup strategy:

*By 2012, the INEEL will have achieved significant risk reduction and will have placed materials in safe storage ready for disposal. By 2020, INEEL will have completed all active cleanup work with potential to further accelerate cleanup to 2016.*

This vision reflects a bias toward real risk reduction within the framework of the existing compliance agreements that address cleanup of the INEEL. The parties recognize the importance of project management, engineering, science, and technology, to achieve cleanup goals faster and more cost effectively.

The parties agree that accelerated cleanup and meeting commitments are made more attainable with sufficient and predictable funding, good regulatory relationships, broad stakeholder support, and best management practices.

Through actions proceeding from this letter of intent, the parties expect to meet the objectives called for in the President's fiscal year 2003 budget request to access the Cleanup Reform Account.

### Background

Cleanup of the INEEL is governed by two primary compliance agreements. These agreements include a bias toward actual cleanup; the parties agree to continue this bias and to integrate

cleanup activities at INEEL. The strategy outlined in this letter gives the INEEL the opportunity to accelerate risk reduction and cleanup and to do so from an integrated, site-wide perspective.

### Overview of 2012 Accelerated Cleanup Strategy

In addition to the parties' recent agreement regarding restructuring of the waste retrieval project at Pit 9, the 2012 Accelerated Cleanup Strategy focuses on significant environmental priorities identified by DOE, the State of Idaho, EPA, and stakeholders. These priorities are:

1. Continued cleanup and protection of the Snake River Plain Aquifer
2. Consolidation of EM activities to the Idaho Nuclear Technology and Engineering Center (INTEC), reducing the actively managed EM footprint by over 51%
3. Removal and stabilization of sodium-bearing liquid wastes from the INTEC tank farm and RCRA closure of the high-level waste tanks
4. Placement of DOE spent nuclear fuel (240 tonnes) managed by EM into dry storage
5. Transfer of all Special Nuclear Material managed by EM to other sites
6. Completion of the shipments of transuranic waste required by section B.1 of the Settlement Agreement entered in *Public Services of Colorado v. Batt*, Nos. 91-0035-S-EJL & 91-0054-S-EJL (Oct. 17, 1995).
7. Making significant progress in the remediation of the buried waste in accordance with the comprehensive Remedial Investigation/Feasibility Study and Record of Decision for WAG 7

This strategy accelerates completion of several of these priority projects from the current baseline. It places material without a near-term disposition path (specifically spent nuclear fuel and high-level waste) into safe storage and ready for ultimate disposal. The cleanup approach also incorporates opportunities for dramatic footprint reduction within INEEL's major facilities. In developing this approach, it became clear that the cleanup program could rapidly consolidate its activities to the INTEC facility and significantly reduce infrastructure, surveillance, and maintenance costs.

## End State

By 2020, all waste sites have been either: 1) removed and back filled or 2) capped; all EM-managed excess buildings have been transferred to another sponsor or removed; and remaining high-level waste calcine and spent nuclear fuel is in safe storage awaiting disposal.

This cleanup strategy accelerates the completion of key milestones in INEEL's compliance agreements and provides a basis for realistic, defensible, and stable cleanup funding. It provides a clear completion focus for cleanup by 2020 while not conflicting with other DOE missions at the INEEL; in fact, completing risk reduction and cleanup of the INEEL should facilitate opportunities for new and continuing missions.

DOE agrees to smoothly transition laboratory sponsorship from Environmental Management to other program sponsors. DOE also recognizes the need for long-term stewardship of site environmental obligations following completion of active cleanup.

This strategy can be accomplished within the existing compliance agreements but requires a proactive and sustained commitment by all three agencies to implement an integrated approach to regulatory issues so that projects can be accomplished as responsibly as possible.

In pursuing this strategy, the agencies agree to:

- Consider high risks first as a principle in setting priorities and cleanup strategies, recognizing there are multiple factors that need to be considered, such as balancing risk to workers, the public, and the environment
- Effectively integrate RCRA and CERCLA cleanup actions and schedules
- Re-sequence cleanup work as appropriate to better integrate cleanup actions at INEEL facilities
- Evaluate post-cleanup monitoring and review cleanup effectiveness from an integrated, INEEL-wide perspective
- Invest in projects and activities that will result in significant savings that can be applied to accelerate cleanup
- Accelerate waste characterization to facilitate decision making and integration opportunities

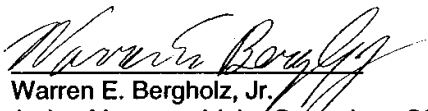
Further, the parties agree to approach cleanup as a single project and support integration across INEEL's compliance agreements as appropriate. DOE will produce, in collaboration with EPA and the State of Idaho, a draft management plan supporting this approach in June 2002, and following public involvement, a final plan by August 1, 2002. The parties agree that routine senior management meetings will be held to assess the status and progress toward the accelerated goals and to assist in resolving issues and barriers that stand in the way of successful implementation.

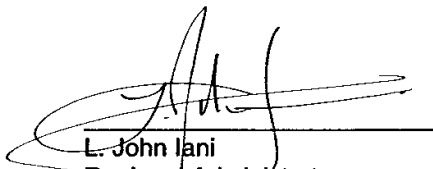
This accelerated cleanup strategy depends on successful resolution of several key uncertainties:

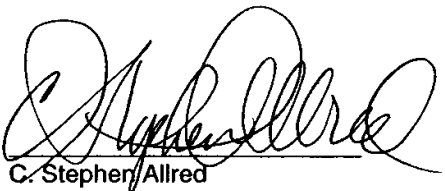
- Resolving repository issues such as characterization requirements and acceptance criteria
- Resolving transportation issues such as the need for waste stabilization prior to transport
- Resolving waste characterization issues
- Resolving the interpretation of section B.1 of the Settlement Agreement entered in *Public Services Company of Colorado v. Batt*, Nos. 91-0035-S-EJL & 91-0054-S-EJL (Oct. 17, 1995).


Nothing in this letter of intent modifies the rights, authorities or obligations established in existing agreements.

We, the undersigned, are committed to work together in support of these initiatives, to successfully implement this accelerated risk reduction and cleanup strategy, and to seek additional opportunities to further accelerate and improve cleanup of the INEEL.

  
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